

FACSIMILE COVER SHEET

RECEIVED
CENTRAL FAX CENTER
OCT 21 2004

RITTER, LANG & KAPLAN LLP
ATTORNEYS AT LAW
12930 Saratoga Ave., Suite D1
Saratoga, CA 95070
Tel: 408-446-8690
Fax: 408-446-8691

CONFIDENTIALITY NOTE

The information contained in this facsimile (FAX) message is legally privileged and confidential information intended only for the use of the receiver or firm named below. If the reader of this message is not the intended receiver, you are hereby notified that any dissemination, distribution or copy of this FAX is strictly prohibited. If you have received this FAX in error, please immediately notify the sender at the telephone number provided above and return the original message to the sender at the address above via the United States Postal Service. Thank you.

Date: October 21, 2004

To: Examiner Phuoc H. Nguyen
Group Art Unit: 2143
Fax No.: (703) 872-9306

Re: U.S. Patent Application No. 09/475,765
Filed: December 30, 1999
Applicants: Eric Hamer et al.
Docket No: KEYNP005
Attorney: Gary T. Aka

Attached:

- 1) Transmittal Form (1 pg);
- 2) Response to Notice of Non-Compliant Amendment (7 pgs).

Total Pages (including cover sheet) 9

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being transmitted by facsimile to the U.S. Patent and Trademark Office on 10/21/04
Signed: Diane Elizagre Diane Elizagre

PLEASE CONFIRM RECEIPT OF THIS FACSIMILE BY RETURN FACSIMILE

PTO/SB/21 (08-03)

Please type a plus sign (+) inside this box →

Approved for use through 8/30/2003. OMB 0851-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number 09/475,765

Filing Date December 30, 1999

First Named Inventor Eric Hamer

Group Art Unit 2143

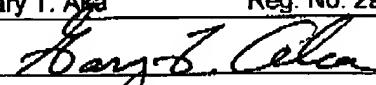
Examiner Name Phuoc H. Nguyen

Attorney Docket Number KEYNP005

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.62 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Return Postcard <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		The Commissioner is authorized to charge any additional fees to Deposit Account 59-1652.
In response to the Notice of Non-Compliant Amendment mailed September 27, 2004, please make the enclosed of record.		

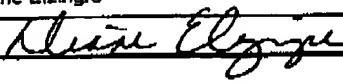
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm and Individual name	RITTER, LANG & KAPLAN LLP Gary T. Aka Reg. No. 29,038		
Signature			
Date	October 21, 2004		

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being facsimile transmitted (703) 872-9308 to the U.S. Patent and Trademark Office on the date shown:

October 21, 2004

Typed or printed name	Diane Elzingre		
Signature			
Date	October 21, 2004		

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be send to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

CERTIFICATE OF FACSIMILE	
I hereby certify that this correspondence is being facsimile transmitted (703-872-9300) to the U.S. Patent and Trademark Office on <i>10/21/04</i>	
Signed:	<i>Diane Elzinger</i>
Diane Elzinger	

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No. : 09/475,765 Confirmation No.: 6830
Applicant : ERIC HAMER et al.
Filed : December 30, 1999
TC/A.U. : 2143
Examiner : PHUOC H. NGUYEN

Docket No. : KEYNP005
Customer No. : 26541
Title : METHOD AND SYSTEM FOR EVALUATING
QUALITY OF SERVICE OVER THE INTERNET

RECEIVED
CENTRAL FAX CENTER
OCT 21 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Sir:

In response to the Notice of Non-Compliant Amendment mailed September 27, 2004,
please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims, which begins on page 2
of this paper.